



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,314	04/16/2004	Raymond J. Brosseau	3918-0162PUS1	7752
2292	7590	12/06/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LUGO, CARLOS	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 12/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/825,314

Applicant(s)

BROSSEAU, RAYMOND J.

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) 5-7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to applicant's election filed on November 17, 2005.

Election/Restrictions

2. Applicant's election without traverse of Species #1, Figures 1-5 and drawn to claims 1-4, in the reply filed on November 17, 2005 is acknowledged. Claim 5-7 are withdrawn from further consideration as been part of a non-elected species.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because of the use of the word "means".
Correction is required. See MPEP § 608.01(b).

5. The specification is objected to because of the following informalities:

- Page 7 Line 16, change "key 78" to -key 82-.
- Page 8 Line 1, change "both keys 60,84" to -both keys 60,82-.

Appropriate correction is required.

Claim Objections

6. **Claims 1-4 are objected** to because of the following informalities:

- Claim 1 Line 1, change "A hasp" to -A hasp assembly-.
- Claim 1 Line 3, change "said hasp comprising: an intermediate" to -said hasp assembly comprising: a hasp having an intermediate-.
- Claim 2 Line 1, change "A hasp" to -A hasp assembly-.
- Claim 2 Line 3, change "said hasp comprising: an intermediate" to -said hasp assembly comprising: a hasp having an intermediate-.
- Claim 3 Line 1, change "A hasp" to -A hasp assembly-.
- Claim 3 Line 3, change "said hasp comprising: an intermediate" to -said hasp assembly comprising: a hasp having an intermediate-.
- Claim 4 Line 1, change "The hasp of claim 3" to -The hasp assembly of claim 3.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

8. **Claims 1-4 are rejected** under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-4 are drawn to a hasp. Then, it is unclear if the applicant is trying to claim only the hasp or the combination of the hasp with the connector and key so as to have a hasp connection. Therefore, in order to continue with the examination, the invention will be examined as a hasp connection or assembly comprising the hasp, the connector and the key. Appropriate correction and/or explanation is required (see claim objection section above).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. **Claims 1-4 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 4,423,896 to Loomis in view of US Pat No 5,127,687 to Guiler.

Loomis discloses a hasp assembly comprising a hasp (70) having an intermediate portion and a terminal portion. The terminal portion has a tongue (72) in which is formed a passage (100).

A connector (60) having at least one branch in which a keyway is formed (101 and 102). The connector attached to a staple (28).

A key (170) is provided for removeably connecting the connector to the tongue. The key is adapted to be received in the passage and keyway. The key has a fastener to prevent the key from separating from the passage and the keyway.

However, Loomis fails to disclose that the fastener is selectively removable from the key and that has a resilient catch. Loomis discloses a different fastening means to prevent the key from separating from the passageway and the keyway (press fit).

Guiler teaches that it is well known in the art of locking a hasp to have a key (10) having a resilient catch (28), inserted through openings of a hasp and also teaches the use of a fastener (12) having a hollow opening that receives the catch.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the hasp assembly described by Loomis with a key and a fastener, as taught by Guiler, in order to prevent the key from separating from the passage and the keyway by using an easier fastening means.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058. The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-272-7049.

Art Unit: 3676

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo
AU 3676

December 1, 2005.



BRIAN E. GLESSNER
SUPERVISORY PATENT EXAMINER